

FILED

FEB 10 2005

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
DISTRICT COURT
CLARKSBURG, WV 26301**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 1:05 CR 04

DANIEL WILSON TESTERMAN,

Defendant.

DEFENDANT'S RESPONSE TO DISCOVERY

Now comes the Defendant, **DANIEL WILSON TESTERMAN**, by and through his attorney, **GEORGE J. COSENZA**, and provides the following reciprocal discovery, pursuant to Rule 16(b)(1) of the Federal Rules of Criminal Procedure, states as follows:

Defendant's Witnesses:

Thelma Trent
Route 1, Box 17
Auburn, WV 26325

Walter Trent
Route 1, Box 17
Auburn, WV 26325

Donald Ball
Route 2, Box 7-B
Harrisville, WV 26362

Bobby Bryant
Route 1, Box 243-A
Cairo, WV 26337

Sandra Blankenship
Route 1, Box 30
Auburn, WV 26325

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Reverend Ralph J. Blankenship
Route 1, Box 30
Auburn, WV 26325

Melinda Cash
FBI
Suite 500 - 10 Hale Street
Charleston, WV 25301

Kenneth L. Lavictoire
FBI
320 West Pike Street - Suite 310
Clarksburg, WV 26301

Mike Kocher
FBI
320 West Pike Street - Suite 310
Clarksburg, WV 26301

Amy Workman
725 South Spring Street
Harrisville, WV 26362

Amber Workman
725 South Spring Street
Harrisville, WV 26362

Alice Testerman
725 South Spring Street
Harrisville, WV 26362

Samuel Testerman
Route 1, Box 136
Harrisville, WV 26362

Elbert Testerman, Jr.
HC 80, Box 24A
Harrisville, WV 26362

Jesse Testerman
Route 1, Box 139B
Harrisville, WV 26362

Melissa Testerman
Harrisville, WV 26362

Chief Deputy Michael D. Kelly
Ritchie County Sheriff's Department
109 North Street
Harrisville, WV 26362

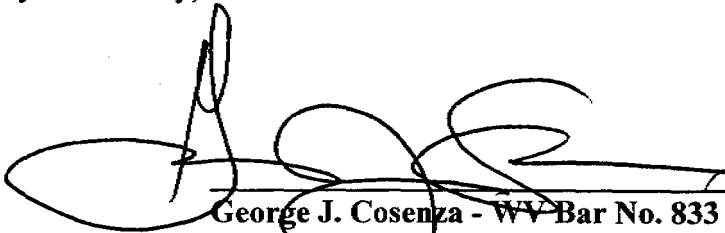
Captain Bryan D. Backus
Ritchie County Sheriff's Department
109 North Street
Harrisville, WV 26362

Matthew Doyle
1251 31st Street
Parkersburg, WV 26104

Defendant's Exhibit:

Photograph of Daniel Wilson Testerman

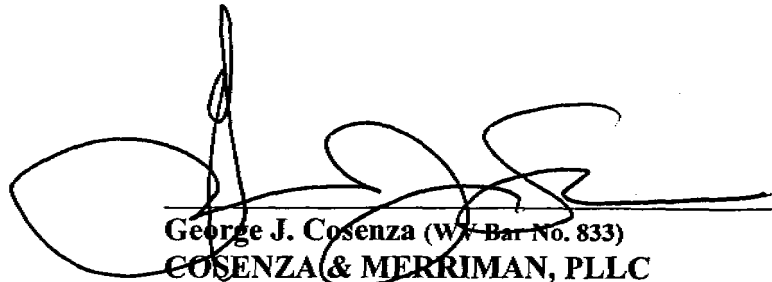
Dated this 8 day of February, 2005.

A handwritten signature in black ink, appearing to read 'George J. Cosenza', is written over a horizontal line.

George J. Cosenza - WV Bar No. 833
COSENZA & MERRIMAN, PLLC
515 Market Street - P.O. Box 4
Parkersburg, WV 26102
(304) 485-0990
Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned counsel for Defendant, **DANIEL WILSON TESTERMAN**, hereby certifies that he served the foregoing **DEFENDANT'S RESPONSE TO DISCOVERY** upon the Plaintiff, **UNITED STATES OF AMERICA**, by depositing a true copy thereof in the United States mail, postage prepaid, addressed to Thomas E. Johnston, United States Attorney, Clarksburg Federal Center, 320 West Pike Street, Suite 300, Clarksburg, West Virginia, 26301-2710 on this 8 day of February, 2005.

A handwritten signature in black ink, appearing to read 'G. Cosenza', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

George J. Cosenza (WV Bar No. 833)
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